

MEETINGS TO DATE 28
NO. OF REGULARS 18
NO. OF SPECIALS 10

LANCASTER, NEW YORK
SEPTEMBER 18, 1989

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 18th day of September 1989 at 8:00 P.M. and there were

PRESENT: RONALD A. CZAPLA, COUNCILMAN
ROBERT H. GIZA, COUNCILMAN
DONALD E. KWAK, COUNCILMAN
JOHN T. MILLER, COUNCILMAN

ABSENT: STANLEY JAY KEYSA, SUPERVISOR

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK
RICHARD SHERWOOD, TOWN ATTORNEY
NICHOLAS LO CICERO, DEP. TOWN ATTORNEY
MALCOLM J. FRANCIS., JR., ASSESSOR

PUBLIC HEARING SCHEDULED FOR 8:10 P.M.:

At 8:10 P.M., the Town Board held a Public Hearing to hear all interested persons upon an amendment to the Vehicle and Traffic Ordinance of the Town of Lancaster, designated Chapter 46 of the Code of the Town of Lancaster, Article X - Parking, Standing and Stopping, pertaining to Eastwood Parkway Exit and Northwood Drive Exit onto William Street.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

PROPOSERS

None

OPPOSERS

None

COMMENTS

None

QUESTIONS

None

ON MOTION BY COUNCILMAN GIZA, AND SECONDED BY COUNCILMAN MILLER AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:15 P.M.

The Town Board later in the meeting adopted a resolution, hereinafter spread at length in these minutes, taking favorable action upon this matter.

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

RESOLVED, that the minutes from the Regular Meeting of the Town
Board held on September 5, 1989 and the Joint Meeting of the Town Board and
the Planning Board held on September 5, 1989, as presented by the Town Clerk,
be and hereby are approved.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA WAS ABSENT

The resolution was thereupon unanimously adopted.

September 18, 1989

File: R.MIN (P2)

12x1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

WHEREAS, a Public Hearing was held on the 18th day of September,
1989, for the purpose of amending Chapter 46-Vehicle and Traffic Ordinance of
the Code of the Town of Lancaster, and persons for and against such amendment
have had an opportunity to be heard, and

WHEREAS, Notice of said Public Hearing was duly published and posted;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That Chapter 46, Vehicle and Traffic Ordinance of the Code of
the Town of Lancaster, be amended in the form attached hereto and made a part
hereof;
2. That said amendments be added in the minutes of the meeting of
the Town Board of the Town of Lancaster held on the 18th day of September,
1989;
3. That a certified copy thereof be published in the Lancaster Bee
on September 21, 1989;
4. That a certified copy of the amendment be posted on the Town
Bulletin Board;
5. That Affidavits of Publication and Posting be filed with the
Town Clerk, and
6. That the Highway Superintendent take whatever action is
necessary to install signs in accordance with the law.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA WAS ABSENT

The resolution was thereupon unanimously adopted.

September 18, 1989

32X1

LEGAL NOTICE
NOTICE OF ADOPTION OF AMENDMENT
TO
VEHICLE & TRAFFIC ORDINANCE
OF THE
TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK
DESIGNATED AS CHAPTER 46 OF CODE OF TOWN OF LANCASTER

The Vehicle and Traffic Ordinance of the Town of Lancaster, Erie
County, New York, designated Chapter 46 of the Code of the Town of Lancaster
is hereby amended as follows:

Article X - Parking, Standing and Stopping

§46-10, Application of Article, is hereby amended by
adding thereto:

D.

3. Eastwood Parkway Exit onto William Street.
4. Northwood Drive Exit onto William Street.

September 18, 1989

STATE OF NEW YORK:
COUNTY OF ERIE : ss:
TOWN OF LANCASTER:

THIS IS TO CERTIFY that I, ROBERT P. THILL, Town Clerk and Registrar of Vital
Statistics of the TOWN OF LANCASTER in the said County of Erie, have compared
the foregoing copy of an Ordinance Amendment, with the original thereof filed
in my office at Lancaster, New York, on the 18th day of September, 1989, and
that the same is a true and correct copy of said original, and of the whole
thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said
Town this 18th day of September, 1989.

Robert P. Thill

Town Clerk and Registrar of Vital Statistics

12x1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

WHEREAS, Josela Enterprises, Inc. 5653 Broadway, Lancaster, New York 14086, has applied to the Town Board of the Town of Lancaster for permits to construct Public Improvements upon real property in the Town of Lancaster within Pinetree Farm Subdivision, Phase I, and

WHEREAS, the Town Engineer of the Town of Lancaster has certified on the following permit applications that he has reviewed the improvement plans and permit applications for the installation of the public improvements requested, and that they conform to the Ordinances of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that Public Improvement Permit application Nos. 181 and 182 of Pinetree Farm Subdivision, Phase I of Josela Enterprises, Inc., 5653 Broadway, Lancaster, New York, for the installation of:

P.I.P. No. 181 - public sidewalks as per Town specifications
(Sidewalk) servicing sub lots 20-52; 83-111; and 62

P.I.P. No. 182 - street lighting as per Town and NYSEG
(Street Lighting) specifications servicing sub lots 20-52; 83-111;
and 62

be and are hereby approved and the installation of the improvements requested be and are hereby authorized, subject to the following condition:

No Building Permits shall be issued until Performance Security as authorized in Chapter 11-6 of the Code of the Town of Lancaster is provided -- or -- until approval of all Public Improvements, including lighting and sidewalks, by the Town Engineer and Town Board, and sewer by Erie County Sewer District No. 4, and conveyance of Warranty Deed with adequate title insurance and bill of sale of improvements rights-of-way, and easement, and delivery of two (2) year maintenance bonds from date of acceptance in the principal sum of 25% of the total cost of the improvement.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA WAS ABSENT

The resolution was thereupon unanimously adopted.
September 18, 1989

File: R.P.I.P.a

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN MILLER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the Highway Superintendent of the Town of Lancaster has requested the purchase of One (1) Used 1969 Auto Car with 40 Ton Low Boy Trailer or Equal, for the use of the Highway Department, and

WHEREAS, the Highway Committee of the Town Board recommends that such purchase be authorized;

NOW, THEREFORE, BE IT

RESOLVED, that bids be received by this Town Board on the 2nd day of October at 8:00 o'clock P.M., Local Time, for the purpose of purchasing One (1) Used 1969 Auto Car with 40 Ton Low Boy Trailer or Equal for the use of the Highway Department, in accordance with specifications on file in the Town Clerk's Office, and

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby authorized to palce a Notice to Bidders in the Lancaster Bee and post notices thereof as required by law, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA WAS ABSENT

The resolution was thereupon unanimously adopted.

September 18, 1989

12X1

LEGAL NOTICE
TOWN OF LANCASTER
NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed Bids will be received by the Town Board of the Town of Lancaster, Erie County, New York, in the Council Chamber of the Town Hall, 21 Central Avenue, Lancaster, New York, up to 8:00 o'clock P.M., Local Time, on the 2nd day of October, 1989, for the purpose of purchasing One (1) Used 1969 Auto Car with 40 Ton Low Boy Trailer or Equal, for the use of the Highway Department of the Town of Lancaster, in accordance with specifications on file in the Town Clerk's Office in the Town Hall, 21 Central Avenue, Lancaster, New York.

A Certified Check or bid bond in an amount representing five percentum (5%) of the "Gross Bid", payable to the Supervisor of the Town of Lancaster, and a non-collusive bidding certificate must accompany each bid.

The Board reserves the right to reject any or all bids and to waive any informalities.

TOWN BOARD OF THE
TOWN OF LANCASTER

BY: ROBERT P. THILL
Town Clerk

September 18, 1989

72X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

WHEREAS, Josela Enterprises, Inc. 5653 Broadway, Lancaster, New York 14086, has applied to the Town Board of the Town of Lancaster for permits to construct Public Improvements upon real property in the Town of Lancaster within Pinetree Farm Subdivision, Phase II, and

WHEREAS, the Town Engineer of the Town of Lancaster has certified on the following permit applications that he has reviewed the improvement plans and permit applications for the installation of the public improvements requested, and that they conform to the Ordinances of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that Public Improvement Permit application Nos. 183 and 184 of Pinetree Farm Subdivision, Phase II of Josela Enterprises, Inc., 5653 Broadway, Lancaster, New York, for the installation of:

P.I.P. No. 183 - public sidewalks as per Town specifications
(Sidewalk) servicing sub lots 1-19; 53-61; 63-82

P.I.P. No. 184 - street lighting as per Town and NYSEG
(Street Lighting) specifications servicing sub lots 1-19; 53-61;
63-82

be and are hereby approved and the installation of the improvements requested be and are hereby authorized, subject to the following condition:

No Building Permits shall be issued until Performance Security as authorized in Chapter 11-6 of the Code of the Town of Lancaster is provided -- or -- until approval of all Public Improvements, including lighting and sidewalks, by the Town Engineer and Town Board, and sewer by Erie County Sewer District No. 4, and conveyance of Warranty Deed with adequate title insurance and bill of sale of improvements rights-of-way, and easement, and delivery of two (2) year maintenance bonds from date of acceptance in the principal sum of 25% of the total cost of the improvement.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

| | |
|-------------------------|------------|
| COUNCILMAN CZAPLA VOTED | YES |
| COUNCILMAN GIZA VOTED | YES |
| COUNCILMAN KWAK VOTED | YES |
| COUNCILMAN MILLER VOTED | YES |
| SUPERVISOR KEYSA | WAS ABSENT |

The resolution was thereupon unanimously adopted.

September 18, 1989

File: R.P.I.P.a

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN MILLER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has by its involvement with the Northeast Communities Solid Waste Management Board in a proposed recycling program, become more aware of the need for recycling programs locally, regionally and nationally, and

WHEREAS, the Town Board has been made aware that the market for recyclable paper materials in this country will alleviate demands for timber, as well as providing for a use for discarded newspaper, thereby saving significant costs of disposing of same in landfills, and

WHEREAS, the Town Board has been advised that there is a Bill pending in the U.S. House of Representatives, to wit: HR 1691, which would impose a tax on paper mills and publishers that do not manufacture or use recycled paper in order to encourage recycling in the paper industry, and

WHEREAS, the Town Board of the Town of Lancaster hereby deems it in the public interest to support legislation of this nature for the purpose of encouraging the use of recycled materials;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby memorializes Hon. Henry J. Nowak, U.S. House of Representatives, to support legislation including the aforementioned pending Bill HR 1691, which will provide measures to encourage the use of recycled materials by domestic industry.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

| | |
|-----------------------------|-----------------------------|
| COUNCILMAN CZAPLA VOTED YES | COUNCILMAN KWAK VOTED YES |
| COUNCILMAN GIZA VOTED YES | COUNCILMAN MILLER VOTED YES |
| SUPERVISOR KEYSA WAS ABSENT | |

The resolution was thereupon unanimously adopted.

September 18, 1989

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

WHEREAS, James DiLapo, Jr., 166 Rumsey Road, Buffalo, New York 14209, has applied to the Town Board of the Town of Lancaster for a permit to construct a Public Improvement upon real property in the Town of Lancaster within Forestream Farm Subdivision, Phase II, and

WHEREAS, the Town Engineer of the Town of Lancaster has certified on the following permit applications that he has reviewed the improvement plans and permit applications for the installation of the public improvements requested, and that they conform to the Ordinances of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that Public Improvement Permit application No. 185 of James DiLapo, Jr., 166 Rumsey Road, Lancaster, New York 14209 for the installation of:

P.I.P. No. 185 - Forestream Drive South, Sta. 0+57 to 19+70
(Pavement & Curbs)(53,600 ft²), Street C, cul-de-sac (9900 ft²),
Street G, 0+00 to 1+20 (3100 ft²)

be and are hereby approved and the installation of the improvements requested be and are hereby authorized, subject to the following condition:

No Building Permits shall be issued until Performance Security as authorized in Chapter 11-6 of the Code of the Town of Lancaster is provided -- or -- until approval of all Public Improvements, including lighting and sidewalks, by the Town Engineer and Town Board, and sewer by Erie County Sewer District No. 4, and conveyance of Warranty Deed with adequate title insurance and bill of sale of improvements rights-of-way, and easement, and delivery of two (2) year maintenance bonds from date of acceptance in the principal sum of 25% of the total cost of the improvement.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA WAS ABSENT

The resolution was thereupon unanimously adopted.

September 18, 1989

File: R.P.I.P.a (P3)

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the Bowmansville Volunteer Fire Association, Inc., by
letter dated September 9, 1989 has requested the confirmation of three new
members duly elected to the membership of the Bowmansville Volunteer Fire
Association, Inc. and the deletion of two members from the membership of the
Bowmansville Volunteer Fire Association, Inc.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby
confirms the additions to, and the deletions from, the membership of the
Bowmansville Volunteer Fire Association, Inc. of the following individuals:

RESIDENT PROBATIONARY ACTIVE MEMBER

Scott Nawrocki
29 Deerpath Drive
Lancaster, New York 14086

Thomas Trzepacz
310 Iroquois Avenue
Lancaster, New York 14086

NON-RESIDENT PROBATIONARY ACTIVE MEMBER

John King
6797 Main Street
Williamsville, New York 14221

DELETIONS

Martin Kleparek

James Kless

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA WAS ABSENT

The resolution was thereupon unanimously adopted.

September 18, 1989

File: R.FIRE (P1)

32X1

Prefiled Resolution No. 9

Kwak/_____ Appoint Light Equipment Operators in Highway
Dept.

At the request of Councilman Kwak, Prefiled Resolution No. 9 was
withdrawn for further study.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the Twin District Volunteer Fire Company, Inc., by letter dated September 13, 1989, and has requested the confirmation of one new member duly elected to the membership of the Twin District Volunteer Fire Company, Inc.,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms the addition to the membership of the Twin District Volunteer Fire Company, Inc. of the following individual:

Michael J. Solomon
35 Giele Avenue
Depew, New York 14043

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA WAS ABSENT

The resolution was thereupon unanimously adopted.

September 18, 1989

FILE: R.FIRE (P3)

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby
ordered paid from their respective accounts:

Claim No. 9287 to Claim No. 9523 Inclusive.

Total amount hereby authorized to be paid:

\$404,283.68

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA WAS ABSENT

The resolution was thereupon unanimously adopted.

September 18, 1989

File: R.CLAIMS

72X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER, TO WIT:

RESOLVED, that the following Building Permit Applications be and
are hereby approved and the issuance of these Building Permits be and are
hereby authorized:

CODES:

(T) = Tree Planting Fee tendered to the Town of Lancaster pursuant to
the provisions of Chapter 30-26 of the Code of the Town of Lancaster.

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town of
Lancaster are waived.

| <u>NO.</u> | <u>CODE</u> | <u>NAME</u> | <u>ADDRESS</u> | <u>STRUCTURE</u> |
|------------|-------------|---------------------|------------------------|-----------------------------------|
| 509 | (T) | Valiant Homes | 53 Running Brook La | ER. SIN. DWLG |
| 510 | | Alan Niespodzinski | 233 Westwood Rd | ER. SHED |
| 511 | (T) | Donato Developers | 18 Greenbriar Dr | ER. SIN. DWLG |
| 512 | (T) | Donato Developers | 6 Rose Hill Cir | ER. SIN. DWLG |
| 513 | (T) | Donato Developers | 8 Rose Hill Cir | ER. SIN. DWLG |
| 514 | (T) | Donato Developers | 8 Greenmeadow Dr | ER. SIN. DWLG |
| 515 | | Wm. Bagley | 226 Warner Rd | ER. FENCE |
| 516 | (T) | Marrano/Marc Equity | 40 Greenmeadow Dr | ER. SIN. DWLG |
| 517 | (T) | Marrano/Marc Equity | 96 Pheasant Run N | ER. SIN. DWLG |
| 518 | (T) | Marrano/Marc Equity | 20 Hemlock La | ER. SIN. DWLG |
| 519 | (T) (SW) | Gerald Mikula | 5121 William St | ER. SIN. DWLG |
| 520 | | Henry Cohen | 562 Hall Rd | ER. POLE BARN |
| 521 | | Paul Krafft | 4008 Walden Ave | ER. GARAGE |
| 522 | | Patrick Viscusi | 541 Lake Ave | EXT. SIN. DWLG, ER. FOUNDATION |
| 523 | (T) | NDC Homes Inc. | 24 Fieldstone La | ER. SIN. DWLG |
| 524 | | Frank Kubiak | 17 Impala Pkwy | ER. DECK |
| 525 | | M/M J. Palamo | 7 Idlebrook Ct | EXT. PATIO |
| 526 | | Robin Ernst | 150 Pavement Rd | ALT. SIN DWLG |
| 527 | | Ray Lewandowski | 17 Glendale Dr | ER. FENCE |
| 528 | (T) (SW) | All-Craft Inc. | 204 Stony Rd | ER. SIN. DWLG |
| 529 | | John Bernas | 212 Enchanted Forest N | ER. FENCE |
| 530 | (T) (SW) | Patsy Battista | 354 Westwood Rd | ER. SIN. DWLG |
| 531 | (T) | Helenbrook Homes | 47 Gale Dr | ER. SIN. DWLG |

| | | | |
|---------|-----------------------|-----------------|---------------|
| 532 | William Hood | 4056 Walden Ave | ER. GARAGE |
| 533 (T) | Homes by Helenbrook | 28 Gale Dr | ER. SIN. DWLG |
| 534 | Belmont Shelter Corp. | 6012 Broadway | ER. SIGN |
| 535 | William Maas | 3786 Bowen Rd | ER. FENCE |

and,

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance requirement for sidewalks, and

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA WAS ABSENT

The resolution was thereupon unanimously adopted.

September 18, 1989

File: R.BLDG (P1&2)

32X1

Councilman Giza requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER, TO WIT:

WHEREAS, the term of the Town Assessor, MALCOLM J. FRANCIS, expires on September 30, 1989, and

WHEREAS, the Real Property Tax Law provides for a term of office for an appointed assessor for a 6-year period, said period to commence by appointment on the 1st day of October, and

WHEREAS, the aforementioned MALCOLM J. FRANCIS has requested reappointment as the Town Assessor for the statutory 6-year period to commence October 1, 1989;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby reappoints MALCOLM J. FRANCIS as the Town Assessor for the Town of Lancaster for a 6-year period to commence October 1, 1989.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA WAS ABSENT

The resolution was thereupon unanimously adopted.

September 18, 1989

32X

Councilman Miller requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN MILLER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the Town Board has previously adopted a Local Law referred to as Refuse and Garbage Impact Fee, to provide for the collection of fees from property owners who have not had the special district refuse and garbage tax reflected on their most recent tax bill due to new construction, and

WHEREAS, after review and consideration, the Town Board has determined it is now necessary to cause the collection of certain amounts from taxpayers who have not paid the impact fee billing, and

WHEREAS, the Board wishes to authorize the Supervisor, Building Inspector and Town Attorney to establish any adjustments to the amounts which will be the subject of a relevy on the tax bill or, in the alternative, collection at the time of issuance of a Certificate of Occupancy;

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor, together with the Building Inspector and Town Attorney, are to attend to the appropriate amendment of the aforementioned fees where necessary in the collection of same either by relevy or collection at issuance of Certificate of Certificate of Occupancy.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted, as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA WAS ABSENT

The resolution was thereupon unanimously adopted.

September 18, 1989

32X1

Councilman Kwak requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster, after review of Chapter 30, Permit and Application Fees Ordinance of the Code of the Town of Lancaster, deems it in the public interest to repeal §30-17 thereof and enact a new §30-17 in its place;

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 130 of the Town Law of the State of New York, a Public Hearing on the proposed repeal of §30-17 of the Permit and Application Fees Ordinance, designated as Chapter 30 of the Code of the Town of Lancaster, and enactment of a new §30-17 in place thereof, will be held on the 2nd day of October, 1989, at 8:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, and that Notice of the time and place of such hearing be published on or before the 21st day of September, 1989, in the Lancaster Bee, the official newspaper, being a newspaper of general circulation in said Town and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA WAS ABSENT

The resolution was thereupon unanimously adopted.

September 18, 1989

32X1

LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 18th day of September, 1989, the said Town Board will hold a Public Hearing on the 2nd day of October, 1989, at 8:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York to hear all persons upon the proposed repeal of §30-17 of the Permit and Application Fees Ordinance, designated as Chapter 30 of the Code of the Town of Lancaster, and enactment of a new §30-17 in place thereof, as follows:

CHAPTER 30
PERMIT AND APPLICATION FEES

"§30-17. Application for Approval of Subdivision.

An application for submittal of a subdivision plan to the Town Board must be accompanied by an application fee in the following amount:

- A. Subdivision with up to ten (10) lots or units - \$400.00.
- b. Subdivision with more than ten (10) lots \$400.00 plus an additional \$15.00 for each lot or unit over ten (10) lots or units."

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE
TOWN OF LANCASTER

BY: ROBERT P. THILL
Town Clerk

September 18, 1989

12X

STATUS REPORT ON UNFINISHED BUSINESS:

1. Detention Basin - Milton Drive
On June 6, 1988, The Town Engineer was directed to expedite this project.
2. Dumping Permit - New Creation Fellowship
On July 12, 1989, this matter was referred to the Town Engineer and Building Inspector for review and recommendation.

3. Public Improvement Permit Authorization - Forestream Village Subdivision, Phase I (DiLapo)

| <u>TYPE</u> | <u>ISSUED</u> | <u>ACCEPTED</u> | <u>BONDED</u> |
|---------------|---------------|-----------------|---------------|
| Waterline | Yes | Yes | Yes |
| Pavement | Yes | Yes | Yes |
| Storm Sewers | Yes | Yes | Yes |
| Street Lights | Yes | No | n/a |
| Sidewalks | Yes | n/a | n/a |
| Curbs | Yes | Yes | Yes |
| Floodway | Yes | No | No |

4. Public Improvement Permit Authorization - Forestream Village Subdivision, Phase II (DiLapo)

| <u>TYPE</u> | <u>ISSUED</u> | <u>ACCEPTED</u> | <u>BONDED</u> |
|---------------|---------------|-----------------|---------------|
| Waterline | Yes | No | No |
| Pavement | Yes | No | No |
| Storm Sewers | Yes | No | No |
| Street Lights | No | No | n/a |
| Sidewalks | No | n/a | n/a |
| Curbs | No | No | No |
| Floodway | Yes | No | No |
| East Culvert | Yes | No | No |

5. Public Improvement Permit Authorization - Indian Pine Village Subdivision (Fischione Const., Inc.)

| <u>TYPE</u> | <u>ISSUED</u> | <u>ACCEPTED</u> | <u>BONDED</u> |
|--------------------|---------------|-----------------|---------------|
| Waterline | Yes | Yes | Yes |
| Pavement and Curbs | Yes | Yes | Yes |
| Storm Sewers | Yes | Yes | Yes |
| Street Lights | Yes | No | n/a |
| Sidewalks | Yes | n/a | n/a |
| Detention Basin | Yes | No | No |
| Floodway | Yes | No | No |

6. Public Improvement Permit Authorization - Lake Forest Subdivision (Dana Warman)

| <u>TYPE</u> | <u>ISSUED</u> | <u>ACCEPTED</u> | <u>BONDED</u> |
|--------------------|---------------|-----------------|---------------|
| Waterline | Yes | No | No |
| Pavement and Curbs | Yes | No | No |
| Storm Sewers | Yes | No | No |
| Street Lights | No | No | No |
| Sidewalks | No | n/a | n/a |
| Detention Basin | Yes | No | No |

7. Public Improvement Permit Authorization - The Meadows Subdivision (Giallanza)

| <u>TYPE</u> | <u>ISSUED</u> | <u>ACCEPTED</u> | <u>BONDED</u> |
|--------------------|---------------|-----------------|---------------|
| Waterline | Yes | Yes | Yes |
| Pavement and Curbs | Yes | Yes | Yes |
| Storm Sewers | Yes | Yes | Yes |
| Street Lights | Yes | No | n/a |
| Sidewalks | Yes | n/a | n/a |
| Detention Basin | n/a | n/a | n/a |

32X1

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D.)8. Public Improvement Permit Authorization - Pine Tree Farm, Phase I
(Josela - East off Aurora Street)

| <u>TYPE</u> | <u>ISSUED</u> | <u>ACCEPTED</u> | <u>BONDED</u> |
|--------------------------|---------------|-----------------|---------------|
| Waterline (Transmission) | Yes | Yes | Yes |
| Waterline (Hydrants) | Yes | Yes | No |
| Pavement and Curbs | Yes | Yes | No |
| Storm Sewers | Yes | Yes | No |
| Street Lights | Yes | No | n/a |
| Sidewalks | Yes | n/a | n/a |
| Detention Basin | Yes | No | No |

9. Public Improvement Permit Authorization - Pine Tree Farm, Phase II
(Josela - East off Aurora Street)

| <u>TYPE</u> | <u>ISSUED</u> | <u>ACCEPTED</u> | <u>BONDED</u> |
|--------------------|---------------|-----------------|---------------|
| Waterline | Yes | No | No |
| Pavement and Curbs | Yes | No | No |
| Storm Sewers | Yes | No | No |
| Street Lights | Yes | No | n/a |
| Sidewalks | Yes | n/a | n/a |
| Detention Basin | Yes | n/a | n/a |

10. Public Improvement Permit Authorization - Plumb Estates (Galasso)

| <u>TYPE</u> | <u>ISSUED</u> | <u>ACCEPTED</u> | <u>BONDED</u> |
|--------------------|---------------|-----------------|---------------|
| Waterline | Yes | Yes | Yes |
| Pavement and Curbs | Yes | Yes | Yes |
| Storm Sewers | Yes | Yes | Yes |
| Street Lights | Yes | No | n/a |
| Sidewalks | Yes | n/a | n/a |
| Detention Basin | Yes | No | No |

11. Public Improvement Permit Authorization - Plumb Estates South, Phase I
(Galasso)

| <u>TYPE</u> | <u>ISSUED</u> | <u>ACCEPTED</u> | <u>BONDED</u> |
|--------------------|---------------|-----------------|---------------|
| Waterline | Yes | Yes | Yes |
| Pavement and Curbs | Yes | Yes | Yes |
| Storm Sewers | Yes | Yes | Yes |
| Street Lights | Yes | No | n/a |
| Sidewalks | Yes | n/a | n/a |
| Detention Basin | n/a | n/a | n/a |

12. Public Improvement Permit Authorization - Plumb Estates South, Phase II
(Galasso)

| <u>TYPE</u> | <u>ISSUED</u> | <u>ACCEPTED</u> | <u>BONDED</u> |
|--------------------|---------------|-----------------|---------------|
| Waterline | Yes | Yes | Yes |
| Pavement and Curbs | Yes | Yes | Yes |
| Storm Sewers | Yes | Yes | Yes |
| Street Lights | Yes | No | n/a |
| Sidewalks | Yes | n/a | n/a |
| Detention Basin | n/a | n/a | n/a |

13. Public Improvement Permit Authorization - Warnerview Estates, Phase I
(Donato)

| <u>TYPE</u> | <u>ISSUED</u> | <u>ACCEPTED</u> | <u>BONDED</u> |
|--------------------|---------------|-----------------|---------------|
| Waterline | Yes | Yes | Yes |
| Pavement and Curbs | Yes | Yes | Yes |
| Storm Sewers | Yes | Yes | Yes |
| Street Lights | Yes | No | n/a |
| Sidewalks | Yes | n/a | n/a |
| Detention Basin | Yes | No | No |

32X1

STATUS REPORT ON UNFINISHED BUSINESS CONT'D.:14. Public Improvement Permit Authorization - Warnerview Estates, Phase II (Donato)

| <u>TYPE</u> | <u>ISSUED</u> | <u>ACCEPTED</u> | <u>BONDED</u> |
|--------------------|---------------|-----------------|---------------|
| Waterline | Yes | Yes | Yes |
| Pavement and Curbs | Yes | Yes | Yes |
| Storm Sewers | Yes | Yes | Yes |
| Street Lights | Yes | No | n/a |
| Sidewalks | Yes | n/a | n/a |
| Detention Basin | n/a | n/a | n/a |

15. State Contract Grant - 40 Clark Street Museum.
Application for grant has been filed.16. Subdivision Approval - The Crossings (Off Erie St.)
Review of this subdivision is on hold pending determination of a conceptual north/south beltway right-of-way from Broadway to the New York State Thruway.17. Subdivision Approval - Deer Cross (off William St.)
On June 21, 1989, the Planning Board approved this subdivision subject to approval of the Town Engineer and Police Chief. On August 7, 1989, the Town Board adopted a negative SEQOR Determination on this matter.18. Subdivision Approval - Meadowland Subdivision (Bosse - Off Redlein Dr.)
Review of this subdivision is on hold until surface water drainage problems are resolved by the developer.19. Subdivision Approval - Southpoint Subdivision (Josela - Off Aurora St.)
On May 5, 1989, the Chief of Police approved this site plan. On June 19, 1989, the Town Board and the Planning Board in joint session, adopted a negative determination on this project. On September 14, 1989, the Planning Board approved this site plan.20. Subdivision Approval - Willowridge Subdivision (Gensis - Off Aurora St.)
On August 7, 1989 the Town Board adopted a negative SEQOR determination on this matter. On September 16, 1989, the Chief of Police approved the site plan.21. Subdivision Approval - Woodgate Subdivision (Josela - Off Aurora St.)
On August 2, 1989, this matter was referred to the Planning Board and Chief Fowler for review and report. On September 6, 1989, the Chief of Police approved the site plan.22. Traffic Survey - Speed Limit - Siebert Road
On August 21, 1989, a petition from the residents of Siebert Road was presented to the Town Board and referred to the Chief of Police for review and recommendation.23. Traffic Survey - Speed Limit - Simme Road
On July 18, 1989, a petition from the residents of Simme Road was presented to the Town Board and referred to the Chief of Police for review and recommendation.24. Traffic Survey - Speed Limit - Westwood Road
On August 21, 1989, a petition from the residents of Westwood Road was presented to the Town Board and referred to the Chief of Police for review and recommendation.

32x1

STATUS REPORT ON UNFINISHED BUSINESS CONT'D.:

25. Traffic Survey - Speed Limit - William-Kidder Road

On July 3, 1989, a petition from the residents of William-Kidder Road was presented to the Town Board and referred to the Chief of Police for review and recommendation. On July 24, 1989, the Chief of Police recommended no change in the current 55 mph speed limit on William-Kidder Road.

PERSONS ADDRESSING THE TOWN BOARD:

None

12x1

COMMUNICATIONSDISPOSITION

| | |
|--|-----------------------------------|
| 962. Town Clerk to Supervisor - Monthly report for August 1989. | R & F |
| 963. WNY Reach to Town Board - Invitation to conference entitled "Is This Land Your Land? Is This Land My Land?" to be held 9/23/89 at ECC North. | PLANNING BOARD SUPERVISOR |
| 964. General Code Publishers to Town Clerk - Recommend Town consider undertaking a recodification project. | TOWN CLERK TOWN ATTORNEY |
| 965. Building Inspector to Josela Enter. - No objection to removal of topsoil from sub lots 47, 48 and 49 with Pinetree Farm Subdivision. | R & F |
| 966. Police Chief to Various Town Officials - Comments re: Microtel. | POLICE PUBLIC SAFETY COMMITTEE |
| 967. Highway Supt. to Town Board - Specs for a used tractor and Low Boy Trailer with request for bid opening. | R & F |
| 968. DCO to Town Board - Monthly report for August 1989. | R & F |
| 969. NY Safety Group Assoc. to Supervisor - Confirmation of Safety Seminar in Town - re: Policy # 703 456-4. | R & F DEPARTMENTS INVOLVED |
| 970. County Dept of Health to County Water Authority - Approval of completed works - William St. bridge. ref: 7982. | R & F |
| 971. McIntosh & McIntosh to Town Clerk - Revision of plans for Foxwood Row in Forestream Townhouses. | PLANNING COMMITTEE |
| 972. Bissell, Stone Associates to Town Board - Application for approval of proposed Pleasantview Subdivision. | PLANNING COMMITTEE |
| 973. Planning Board Chairman to Town Board - Recommendation of approval for Southpoint Subdivision. | PLANNING COMMITTEE |
| 974. Planning Board Minutes for meeting 9/6/89. | R & F |
| 975. Town Attorney to Belmont Shelter Corp. - Requesting easement to access boundary line to clear drainage problem. | TOWN ATTORNEY |
| 976. Town Attorney to Charles Kolb - Requesting easement to access boundary line to clear drainage problem. | TOWN ATTORNEY |
| 977. Town Attorney to Thomas Twist - Re: Ridge Crest Condominium Submap Cover. | TOWN ATTORNEY |
| 978. Police Chief to Supervisor - Comments re. traffic analysis for Fairfield and Budget Inns by EMS Consulting. | POLICE PUBLIC SAFETY COMMITTEE |
| 979. Planning Board Chairman to Town Board - Re: Site plan of Microtel Motel. | PLANNING COMMITTEE |
| 980. Twin Dist.Vol. Fire Co. to Town Clerk - Recommendation of new member. | R & F |
| 981. LOVELL SAFETY NEWS - OSHA RECORD KEEPING. | R & F |

32x1

COMMUNICATIONS CONT'D.DISPOSITION

| | |
|--|-----------------------|
| 982. NE Communities Solid Waste Mgt. Bd. to Supervisor - Re: Meeting Sept. 21, 1989. | R & F |
| 983. Jones Intercable to Supervisor - Application to transfer franchises to Adelphia Communications. | TOWN ATTORNEY |
| 984. Colden Town Clerk to Supervisor - Resolution re. increase in rates for snow removal on county roads within various towns. | R & F |
| 985. Alden Town Clerk to Supervisor - Excerpt from minutes of Town Board Mtg. 8/7/89 re: cost of snow removal on county roads. | R & F |
| 986. Budget Officer to Town Board - Re: Special District Budgets, Lighting & Fire. | BUDGET COMMITTEE |
| 987. County Health Dept. to Marrano Development Co. Waterline Extension, Eastwood Village North - ref: 8186. | R & F |
| 988. James DiLapo to Town Board - Appl. for P.I.P. #185, Forestream Sub. Phase II. | R & F |
| 989. Josela Giallanza to Town Board - Appl. for P.I.P. #181, Pinetree Farm Sub., Phase I. | R & F |
| 990. Highway Supt. to Town Board - Recommend upgrading of Joseph Juszcak and John John Archese. | SUPERVISOR |
| 991. Budget Officer to Town Board - Transmittal of tentative 1990 Special Districts Budget. | BUDGET COMMITTEE |
| Supervisor Keysa requested a suspension of the necessary rule for immediate consideration of the following communications - | |
| 992. Receiver of Taxes to Town Board - Payment Report re. refuse collection fees. | TOWN ATTORNEY |
| 993. Krehbiel Associates to Town Board - Engineering Annual Contract - Fiscal Year 1990 KAI Job File 2178. | BUDGET COMMITTEE |
| 994. NYSDEC to Supervisor - Schedule of meetings and public hearings re: proposed Part 368 Regulations for recycling emblems. | SOLID WASTE COMMITTEE |
| 995. County Health Dept. to George Stephens - Transmittal of Certificate of Approval of Pleasantview Subdivision, Phase I plans. | R & F |
| 996. U.S. Bureau of the Census to Supervisor - Request assistance re: enumeration of homeless. | R & F |
| 997. Building Inspector to Town Board - Recommendation re: sidewalk installation. | TOWN ATTORNEY |
| 998. Bowmansville V.F.A. to Town Board - Correction of member name. | R & F |
| 999. Councilman Giza to Town Board - Report of attendance at Nat'l Assoc. of Towns and Townships. | R & F |
| 1000. NYSDEC to Supervisor - Finalized Phase II report re: Lancaster Reclamation. | R & F |

32x1

COMMUNICATIONS CONT'D.

DISPOSITION

1001. Town Line V.F.D. to Town Board -
Recommendation of deletion and addition to
roster.
1002. Eden Chamber of Commerce to Supervisor -
Creative Designs for Rural and Small Town
Conservation Workshop to be held 9/30/89 in
Eden.
1003. Budget Officer to Town Board -
Recommendations re: modifications and re-levy
of 1989 Refuse District charges.

TOWN CLERK FOR
RESOLUTION - 10/2/89

PLANNING BOARD

TOWN ATTORNEY

ADJOURNMENT:

ON MOTION OF COUNCILMAN CZAPLA, AND SECONDED BY THE ENTIRE TOWN BOARD
AND CARRIED, the meeting was adjourned at 8:55 P.M. out of respect to:

PATRICK GREINER

Signed Robert P. Thill
Robert P. Thill, Town Clerk

32x1